

AMENDMENT # Health 1A

The Health and Human Services Subcommittee submits the following:

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

22.br. (DHEC: Beach Renourishment Carry Forward) Of the funds carried forward for beach renourishment, the department is authorized to restrict \$2,500,000 for state funding of coastal renourishment, navigation, and public access improvement projects. The department is further authorized to expend the remaining carry forward balance to reduce the impact of budget reductions.

21.15. (DHHS: Prescription Reimbursement Payment Methodology) The prescription dispensing fee for the current fiscal year is not less than \$4.05 per prescription filled. Prescription reimbursements must be the lowest of: the federal upper limit of payment or South Carolina maximum allowable cost (MAC) for the drug, if any, less 10% plus the current dispensing fee; ~~the average wholesale price (AWP) less 10%;~~ *the Wholesale Acquisition Cost (WAC) plus 12.5%,* or the provider's usual and customary charge to the general public for the dispensed product. Within 30 days of enactment of the proviso, the Department of Health and Human Services shall submit a state plan amendment to the Centers for Medicare and Medicaid Services (CMS) requesting approval for the reimbursement rate referenced above. The Department shall submit a copy of the CMS State Plan Amendment to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee.

During the CMS review process or if the CMS denies the aforementioned state plan amendment, prescription reimbursements must be the lowest of: the federal upper limit of payment or South Carolina maximum allowable cost (MAC) for the drug, if any, less 10% plus the current dispensing fee; the Average Wholesale Price (AWP) minus 10%, or the provider's usual and customary charge to the general public for the dispensed product.

The Department of Health and Human Services shall adjust the dispensing fee as necessary to offset any negative change in the federal reimbursement methodology from the prior fiscal year. The department shall submit a report by January 31, of the current fiscal year to the Chairmen of the House Ways and Means Committee and the Senate Finance Committee summarizing any changes in the federal reimbursement methodology and the impact of the changes on the state prescription reimbursement payment.

REP. EDGE SUBMITS THE FOLLOWING:

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

22.flex. (DHEC: Flexibility) In order to provide maximum flexibility in absorbing the general fund reductions mandated in this act as compared to the prior fiscal year general fund appropriations, the Department of Health and Environmental Control is authorized for FY 2010-11 to spend no more than 25% of each agency earmarked, restricted, trust, or other agency account, except for federal funds, to maintain critical programs previously funded with general fund appropriations. Any spending authorization for these purposes must receive the prior approval of the Office of State Budget and must be reported to the Governor, Senate Finance Committee, and the House Ways and Means Committee.

REP. Ott SUBMITS THE FOLLOWING:

DEPARTMENT OF EDUCATION

1.48 & 1A.14 (SDE: National Board Certification Incentive) Effective July 1, 2010, the state will not award loans to any teacher seeking National Board certification and will not pay a \$7,500 salary supplement to any teacher receiving National Board certification unless the teacher had received National Board certification prior to July 1, 2010 or had completed application for National Board certification prior to July 1, 2010 and subsequently received National Board certification. No state funds shall be paid to any teacher beyond the first ten years of receiving National Board certification except for those individuals who have applied for or subsequently receive their second ten year certification prior to July 1, 2010. The Department of Education and the Education Oversight Committee shall work together to develop a pilot program to be administered by the department to determine the effectiveness of using the Salary Incentives for Teacher Excellence (SITE). During Fiscal Year 2010-11, the department shall establish guidelines for the program, conduct an application process which requires at least two-thirds of the school's teachers to endorse the application, and select schools to participate in the pilot. The department shall provide a report on the SITE to the General Assembly, the State Board of Education, and the Education Oversight Committee not later than January 15, 2011 including the names of schools participating in the pilot for the following fiscal year.

Public school classroom teachers or classroom teachers who work with classroom teachers who are certified by the State Board of Education and who have been certified by the National Board for Professional Teaching Standards or completed the application process prior to July 1, 2010 shall be paid a \$7,500 salary supplement beginning July 1 in the year following the year of achieving certification, beginning with 2009 applicants. Teachers employed at the special schools shall be eligible for this \$7,500 salary supplement. The special schools include the Governor's School for Science and Math, Governor's School for the Arts and Humanities, Wil Lou Gray Opportunity School, John de la Howe School, School for the Deaf and the Blind, Felton Lab, Department of Juvenile Justice and Palmetto Unified School District 1. The \$7,500 salary supplement shall be added to the annual pay of the teacher for the length of the national certificate. However, the \$7,500 supplement shall be adjusted on a pro rata basis for the teacher's FTE and paid to the teacher in accordance with the district's payroll procedure. The Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) shall develop guidelines and administer the programs whereby teachers who are United States citizens or permanent resident aliens, and who are applying to the National Board for Professional Teaching Standards for certification may receive a loan equal to the amount of the application fee. Up to eleven hundred loan applications shall be processed annually. One-half of the loan principal amount and interest shall be forgiven when the required portfolio is submitted to the national board. Teachers attaining certification within three years of receiving the loan will have the full loan principal amount and interest forgiven. Teachers who previously submitted a portfolio to the National Board for Professional Teaching Standards for certification under previous appropriation acts, shall receive reimbursement of their certification fee as prescribed under the provisions of the previous appropriation act. Funds

collected from educators who are in default of the National Board loan shall be retained and carried forward *by the department. The department may retain up to ten percent of the funds collected to offset the administrative costs of loan collection. All other funds shall be retained by the department and used* for National Board loan purposes. Of the funds appropriated in Part IA, Section 1, XIII.A. for National Board Certification, the State Department of Education shall transfer to the Center for Educator Recruitment, Retention, and Advancement (CERRA-South Carolina) the funds necessary for the administration of the loan program. In addition, teachers who are certified by the National Board for Professional Teaching Standards shall enter a recertification cycle for their South Carolina certificate consistent with the recertification cycle for national board certification. National board certified teachers moving to this State who hold a valid standard certificate from their sending state are exempted from initial certification requirements and are eligible for a professional teaching certificate and continuing contract status. Their recertification cycle will be consistent with national board certification.

Provided, further, that in calculating the compensation for teacher specialists, the State Department of Education shall include state and local compensation as defined in Section 59-18-1530 to include local supplements except local supplements for National Board certification. Teacher specialists remain eligible for state supplement for National Board certification.

Teachers who begin the application process after July 1, 2007 and who teach in schools which have an absolute rating of below average or at-risk at the time the teacher applies to the National Board for certification, but who fail to obtain certification, nonetheless shall be eligible for full forgiveness of the loan as follows: upon submission of all required materials for certification, one-half of the loan principal amount and interest shall be forgiven; forgiveness of the remainder of the loan will be at the rate of 33% for each year of full time teaching in the same school regardless of whether that school exceeds an absolute rating of below average or at-risk during the forgiveness period, or for each year of full time teaching in another school that has an absolute rating of below average or at risk.

REP. M. Pitts SUBMITS THE FOLLOWING:

AMEND PREVIOUSLY ADOPTED AMENDMENT #4

89.hf (GP: Holiday Furlough) *In the current fiscal year agency heads ~~shall~~ may institute ~~a mandatory~~ an employee furlough program of up to five days to be taken on legal state holidays. Agencies may allocate the reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. During this ~~mandatory~~ furlough, the state employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, the state agencies, institutions, and departments will be responsible for making both employer and employee contributions if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions.*

REP. BINGHAM SUBMITS THE FOLLOWING:

Department of Labor, Licensing, and Regulation

AMEND PREVIOUSLY ADOPTED AMENDMENT #3

65.usar. (LLR: South Carolina Emergency Response Task Force/State Urban Search and Rescue Program)
Prior to any funds carried forward from the prior fiscal year in Subfund 3135 being transferred to fund any
other purpose and after fulfilling the requirements of proviso 65.8 of this act, \$650,000 of the funds carried
forward in Subfund 3135 generated from Revenue Object Code 1801, must be retained by the Department of
Labor, Licensing, and Regulation to fund, maintain, and operate the South Carolina Emergency Response Task
Force/State Urban Search and Rescue Program for FY 2010-11.

REP. MERRILL SUBMITS THE FOLLOWING:

SECTION 89 - GENERAL PROVISIONS

89. NEW: A member of a board of trustees of a state supported college or university, including a person seeking election as a member of the board of trustees of a state-supported college or university who has filed a notice of intention to seek the office with the joint screening committee established pursuant to Chapter 20, Title 2 of the 1976 Code, is prohibited from making a political contribution to a member of the General Assembly or candidate for the General Assembly . The Joint Screening Committee shall adopt procedures and forms necessary to implement the provisions of this section and shall confirm by mail to each candidate of the receipt of notice of intention and required forms.

REP. MERRILL SUBMITS THE FOLLOWING:

SECTION 89 - GENERAL PROVISIONS

89. NEW: Any state supported four year college or university may enroll no more than 35% of their total enrollment, in a fall or spring semester, as out-of-state students. Those institutions that exceed more than 35% out-of- state student enrollment will receive a 1% reduction in state appropriations for every 1% that exceeds the 35% limit. The Governor's Office is charged with monitoring the ratio of out-of-state and in-state students and must report to the General Assembly when a state supported college or university exceed the 35% limit. Coastal Carolina University and the Citadel are exempt from these requirements.

REP. LIMEHOUSE SUBMITS THE FOLLOWING:

COMMISSION ON HIGHER EDUCATION

~~6.23. (CHE: University Center of Greenville Funding Plan) For the current fiscal year, the Board of the University Center of Greenville shall develop a plan by September 1, 2009, to address the annual operational funding needs of the University Center of Greenville. This plan shall be implemented to address the funding needs for Fiscal Year 2009-10. The plan may include a fee per credit hour assessed to institutions with students enrolled in the University Center of Greenville. Revenues collected shall not exceed \$1,100,000 for the current fiscal year.~~

Rep. Neal SUBMITS THE FOLLOWING:

General Provision

PROVISO

89. A state agency's workforce may not consist of more than 15% of retirees who return to work on a contractual basis within that agency. In the event that an agency must employ return to work retirees, the employee must possess a unique skill set or possess institutional knowledge which would otherwise be difficult to replace.

REP. Merrill SUBMITS THE FOLLOWING:

DEPARTMENT OF EDUCATION

New (SDE: Charter School Funding) For Fiscal Year 2010-11 the South Carolina Public Charter School District shall receive and distribute state funds to the charter school as determined by the current year's base student cost, as funded by the General Assembly, plus an additional \$700, multiplied by the weighted students enrolled in the charter school, which must be subject to adjustment for student attendance and state budget allocations.